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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Brian A. Lemm Pitney Bowes Inc. 35 Waterview Drive P.O. Box 3000 Shelton, CT 06484			EXAMINER LIOU, ERIC	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 05/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/732,939	Applicant(s) RYAN ET AL.	
	Examiner Eric Liou	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/11/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 7-8, 11-13, 16, 18, 22-24, 26, and 30-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Moh et al., U.S. Patent No. 6,004,048.

3. As per claim 1, Moh teaches a method for a mailing machine to provide evidence of postage for mail pieces comprising: setting a postage value (Moh: column 3, lines 35-36 and column 4, lines 62-64); generating indicium data based on the postage value (Moh: column 4, lines 60-64); storing the indicium data in a buffer (Moh: column 3, lines 39-41 and column 5, lines 4-10, "First In First Out memory device"); continuously generating additional indicium data in immediate succession until the buffer is full or a new postage value is set (Moh: column 3, lines 49-54, column 6, lines 65-67, and column 7, lines 1-5); determining if a mail piece is present in the mailing machine (Moh: Figure 1, "11" and column 6, lines 1-4); if a mail piece is present, retrieving one of the indicium data from the buffer (Moh: column 5, lines 38-41 and column 6, lines 4-34); accounting for the postage value from at least one register in the mailing machine for the indicium data retrieved from the buffer (Moh: column 4, lines 56-60 and column 5, lines 7-10 and 30-41, "shift register"); and using the indicium data to provide evidence of postage for the mail piece (Moh: column 3, lines 30-33).

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4. As per claim 3, Moh teaches the method of claim 1 as described above. Moh further teaches the indicium data is further based on the at least one register (Moh: column 5, lines 7-10 and 30-41, “shift register”).

5. As per claim 7, Moh teaches the method of claim 1 as described above. Moh further teaches if a new postage value is set, the method further comprises: erasing all indicium data stored in the buffer (Moh: column 4, lines 60-64 and column 5, lines 25-27 – The Examiner interprets a new postage value request to overwrite previous postage values stored within a buffer.).

6. As per claim 8, Moh teaches the method of claim 1 as described above. Moh further teaches the buffer is a first-in, first-out buffer (Moh: column 5, line 5).

7. As per claim 11, Moh teaches the method of claim 1 as described above. Moh further teaches the indicium data includes an image of an indicium, and using the indicium data to evidence postage further comprises: printing the image of the indicium on the mail piece (Moh: column 3, lines 35-40 and column 4, lines 60-64).

8. As per claim 12, Moh teaches the method of claim 1 as described above. Moh further teaches using the indicium data to evidence postage further comprises: generating an image of an indicium based on the indicium data; and printing the image of the indicium on the mail piece (Moh: column 3, lines 35-40 and column 4, lines 60-64).

9. As per claim 13, Moh teaches the method of claim 12 as described above. Moh further teaches combining the indicium data with other information to generate the image of the indicium (Moh: column 5, lines 49-64).

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10. As per claim 16, Moh teaches a security device for providing indicium data for use in evidencing postage, the security device comprising: at least one register (Moh: Figure 1, "43" and column 5, lines 7-10 and 30-41, "shift register"); a buffer (Moh: column 3, lines 39-41 and column 5, lines 4-10, "First In First Out memory device"); and a processor to generate the indicia coupled to the buffer and the at least one register (Moh: Figure 1, "9"), the processor generating indicium data based on a postage value and storing the indicium data in the buffer (Moh: column 4, lines 60-64, column 3, lines 39-41, and column 5, lines 4-10), the processor continuously generating in immediate succession additional indicium data until the buffer is full or a new postage value is set (Moh: column 3, lines 49-54, column 6, lines 65-67, and column 7, lines 1-5), the processor, upon request to provide one of the indicium data (Moh: column 4, lines 60-64 and column 5, lines 18-21), retrieving one of the indicium data from the buffer for use in evidencing postage on a mail piece and accounting for the postage value from the at least one register for the indicium data retrieved from the buffer (Moh: column 3, lines 40-54, column 5, lines 7-10 and 30-41, and column 6, lines 4-34).

11. As per claim 18, Moh teaches the security device of claim 16 as described above. Moh further teaches the indicium data is further based on the at least one register (Moh: column 5, lines 7-10 and 30-41, "shift register").

12. As per claim 22, Moh teaches the security device of claim 16 as described above. Moh further teaches if a new postage value is set, the processor erases all indicium data stored in the buffer (Moh: column 4, lines 60-64 and column 5, lines 25-27 – The Examiner interprets a new postage value request to overwrite previous postage values stored within a buffer.).

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13. As per claim 23, Moh teaches the security device of claim 16 as described above. Moh further teaches the buffer is a first-in, first-out buffer (Moh: column 5, line 5).

14. As per claim 24, Moh teaches a mailing machine comprising: a printer for printing an indicium on a mail piece (Moh: Figure 1, "45" and column 5, lines 38-41); a controller coupled to the printer (Moh: Figure 1, "9"); a buffer (Moh: column 3, lines 39-41 and column 5, lines 4-10, "First In First Out memory device"); and a security device coupled to the controller (Moh: Figure 1, "37" and column 5, lines 1-8), the security device including at least one register and a processor coupled to the at least one register (Moh: Figure 1 and column 5, lines 4-10), the processor generating indicium data based on a postage value and storing the indicium data in the buffer (Moh: column 4, lines 60-64, column 3, lines 39-41, and column 5, lines 4-10), the processor continuously generating in immediate succession additional indicium data until the buffer is full or a new postage value is set (Moh: column 3, lines 49-54, column 6, lines 65-67, and column 7, lines 1-5), the processor, upon request to provide one of the indicium data (Moh: column 4, lines 60-64 and column 5, lines 18-21), retrieving one of the indicium data from the buffer and accounting for the postage value from the at least one register for the indicium data retrieved from the buffer, wherein the indicium data is used to form the indicium for printing on the mail piece by the printer (Moh: column 3, lines 40-54, column 5, lines 7-10 and 30-41, and column 6, lines 4-34).

15. As per claim 26, Moh teaches the mailing machine of claim 24 as described above. Moh further teaches the indicium data is further based on the at least one register (Moh: column 5, lines 7-10 and 30-41, "shift register").

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16. As per claim 30, Moh teaches the mailing machine of claim 24 as described above. Moh further teaches if a new postage value is set, the processor erases all indicium data stored in the buffer (Moh: column 4, lines 60-64 and column 5, lines 25-27 – The Examiner interprets a new postage value request to overwrite previous postage values stored within a buffer.).

17. As per claim 31, Moh teaches the mailing machine of claim 24 as described above. Moh further teaches the buffer is a first-in, first-out buffer (Moh: column 5, line 5).

18. As per claim 32, Moh teaches the mailing machine of claim 24 as described above. Moh further teaches the buffer is integral with the security device (Moh: column 5, lines 4-8).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 2, 4-6, 17, 19-21, 25, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moh et al., U.S. Patent No. 6,004,048 in view of Gilham, U.S. Publication No. 2002/0046183.

21. As per claims 2, 17, and 25, Moh teaches the method and system of claims 1, 16, and 24 as described above. Moh does not teach the indicium data includes a digital signature.

22. Gilham teaches the indicium data includes a digital signature (Gilham: paragraphs 0023-0024).

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23. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified the method and system of Moh to have included the indicium data includes a digital signature as taught by Gilham for the advantage of allowing for the verification of the authenticity of the indicium (Gilman: paragraph 0023).

24. As per claims 4,19, and 27, Moh teaches the method and system of claims 3, 18, and 26 as described above. Moh further teaches at least one register (Moh: column 5, lines 7-10 and 30-41, "shift register"). Moh does not teach the register includes an ascending register and a descending register.

25. Gilham teaches the register includes an ascending register and a descending register (Gilham: paragraph 0017).

26. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified the method and system of Moh to have included the register includes an ascending register and a descending register as taught by Gilham for the advantage maintaining an accurate record of postal transactions (Gilman: paragraph 0017-0018).

27. As per claims 5, 20, and 28, Moh teaches the method and system of claims 4, 19, and 27 as described above. Moh further teaches at least one register (Moh: column 5, lines 7-10 and 30-41, "shift register"). Moh does not teach the register includes a piece count register.

28. Gilham teaches the register includes a piece count register (Gilham: paragraph 0017).

29. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified the method and system of Moh to have included the register includes a piece count register as taught by Gilham for the advantage maintaining an accurate record of postal transactions (Gilman: paragraph 0017-0018).

30. As per claims 6, 21, and 29, Moh teaches the method and system of claims 4, 19, and 27 as described above. Moh does not teach generating additional indicium data based on what values of the ascending and descending registers would be from a previous indicium data.

31. Gilham teaches generating additional indicium data based on what values of the ascending and descending registers would be from a previous indicium data (Gilham: paragraph 0017 – The Examiner interprets the step of updating the registers to be generating additional indicium data based on previous indicium data or register values.).

32. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified the method and system of Moh to have included generating additional indicium data based on what values of the ascending and descending registers would be from a previous indicium data as taught by Gilham for the advantage maintaining an accurate record of postal transactions (Gilman: paragraph 0017-0018).

33. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moh et al., U.S. Patent No. 6,004,048 in view of Carroll et al., U.S. Publication No. 2002/0083018.

34. As per claim 9, Moh teaches the method of claim 1 as described above. Moh does not teach receiving the postage value from an operator.

35. Carroll teaches receiving the postage value from an operator (Carroll: paragraph 0033, “step 420”).

36. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified method of Moh to have included receiving the postage

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value from an operator as taught by Carroll for the advantage of processing mail more efficiently by eliminating the time necessary to calculate a postage value when the postage value is known.

37. As per claim 10, Moh teaches the method of claim 1 as described above. Moh further teaches setting the postage value (Moh: column 3, lines 35-36 and column 4, lines 62-64) and a weighing module (Moh: column 4, line 22). Moh does not teach setting the postage value based on a weight of the mail piece.

38. Carroll teaches setting the postage value based on a weight of the mail piece (Carroll: paragraph 0004).

39. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Moh to have included setting the postage value based on a weight of the mail piece as taught by Carroll for the advantage of determining postage values accurately.

40. Claims 14-15 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moh et al., U.S. Patent No. 6,004,048 in view of Athens et al., U.S. Publication No. 2003/0177104.

41. As per claim 14, Moh teaches a method for a mailing machine to provide evidence of postage for mail pieces comprising: generating indicium data required to create an indicium that provides evidence of postage (Moh: column 3, lines 35-40 and column 4, lines 60-64); storing the indicium data in a buffer (Moh: column 3, lines 39-41 and column 5, lines 4-10, "First In First Out memory device"); generating additional indicium data in immediate succession (Moh: column 3, lines 49-54, column 6, lines 65-67, and column 7, lines 1-5); determining if a mail

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piece is present in the mailing machine (Moh: Figure 1, "11" and column 6, lines 1-4); if a mail piece is present, retrieving one of the indicium data from the buffer (Moh: column 5, lines 38-41 and column 6, lines 4-34); setting a postage value for the mail piece (Moh: column 3, lines 35-40 and column 4, lines 62-64); accounting for the postage value from at least one register in the mailing machine for the indicium data retrieved from the buffer (Moh: column 4, lines 56-60 and column 5, lines 7-10 and 30-41, "shift register").

42. Moh does not teach a partial computation of a digital signature, computing the digital signature using the indicium data and the postage value, and providing the digital signature as part of an indicium that provides evidence of postage for the mail piece.

43. Athens teaches a partial computation of a digital signature (Athens: paragraph 0009, "partial signature calculation"), computing the digital signature using the indicium data and the postage value (Athens: paragraphs 0017-0018), and providing the digital signature as part of an indicium that provides evidence of postage for the mail piece (Athens: paragraphs 0017-0018).

44. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified method of Moh to have included a partial computation of a digital signature, computing the digital signature using the indicium data and the postage value, and providing the digital signature as part of an indicium that provides evidence of postage for the mail piece as taught by Athens for the advantage providing a method that optimizes the throughput of a mailing machine by reducing the overall amount of time necessary for the PSD to generate the indicium and calculate the digital signature for each mail piece (Athens: paragraph 0008).

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45. As per claim 15, Moh in view of Athens teaches the method of claim 14 as described above. Moh further teaches generating an indicium data before processing of the mail pieces begins (Moh: column 3, lines 35-40, column 4, lines 60-64, and column 5, lines 15-41).

46. As per claim 33, Moh teaches a mailing machine comprising: a printer for printing an indicium on a mail piece (Moh: Figure 1, "45" and column 5, lines 38-41); a controller coupled to the printer (Moh: Figure 1, "9"); a buffer (Moh: column 3, lines 39-41 and column 5, lines 4-10); and a security device coupled to the controller (Moh: Figure 1, "37" and column 5, lines 1-8), the security device including a processor (Moh: Figure 1, "44" and column 5, lines 6-8), the processor generating indicium data and storing the indicium data in the buffer (Moh: column 5, lines 6-8 and 25-27), the processor generating in immediate succession additional indicium data until the buffer is full (Moh: column 7, lines 1-5), the processor, upon request to provide one of the indicium data, retrieving one of the indicium data from the buffer (Moh: column 5, lines 21-27).

47. Moh does not teach the indicium data including a partial computation of a digital signature required to create an indicium and computing a full digital signature using the indicium data, wherein the full digital signature is used as part of the indicium for printing on a mail piece by the printer.

48. Athens teaches the indicium data including a partial computation of a digital signature required to create an indicium signature (Athens: paragraph 0009, "partial signature calculation") and computing a full digital signature using the indicium data (Athens: paragraph 0037), wherein the full digital signature is used as part of the indicium for printing on a mail piece by the printer (Athens: paragraph 0017, "The indicium, including the digital signature, is passed to the

processor 12, which then passes the assembled indicium to printer 16 for printing on a mail piece.”).

49. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to have modified the mailing machine of Moh to have included the indicium data including a partial computation of a digital signature required to create an indicium and computing a full digital signature using the indicium data, wherein the full digital signature is used as part of the indicium for printing on a mail piece by the printer as taught by Athens for the advantage providing a system that optimizes the throughput of a mailing machine by reducing the overall amount of time necessary for the PSD to generate the indicium and calculate the digital signature for each mail piece (Athens: paragraph 0008).

50. As per claim 34, Moh in view of Athens teaches the mailing machine of claim 33 as described above. Moh further teaches the processor generates indicium data before processing of the mail pieces begins (Moh: column 3, lines 35-40, column 4, lines 60-64, and column 5, lines 15-41).

Conclusion

The Examiner has cited particular portions of the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the Applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or

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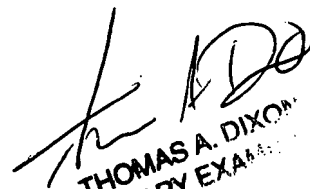
part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Liou whose telephone number is 571-270-1359. The examiner can normally be reached on Monday - Friday, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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THOMAS A. DIXON
PRIMARY EXAMINER